

ESTTA Tracking number: **ESTTA120765**

Filing date: **01/22/2007**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92045000
Party	Defendant SPORTSMAN'S WAREHOUSE, INC. SPORTSMAN'S WAREHOUSE, INC. 7035 HIGH TECH DRIVE MIDVALE, UT 84047
Correspondence Address	GARRETT M. WEBER LINDQUIST & VENNUM PLLP 4200 IDS CENTER , 80 SOUTH 8TH STREET MINNEAPOLIS, MN 55402-2205 UNITED STATES
Submission	Other Motions/Papers
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Date	01/22/2007
Attachments	BPS v SW R's Stp Mtn to Ext R's Test Period.pdf (3 pages)(129875 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Trademark Registration No. 2,390,988

Mark: SPORTSMAN'S WAREHOUSE HUNTING FISHING CAMPING
RELOADING OUTERWEAR FOOTWEAR and Design

Date Registered: October 3, 2000

<p>Bass Pro Trademarks, L.L.C.,</p> <p style="text-align:center">PETITIONER,</p> <p style="text-align:center">v.</p> <p>Sportsman's Warehouse, Inc.,</p> <p style="text-align:center">RESPONDENT.</p>	<p style="text-align:center">Cancellation No. 92045000</p>
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**RESPONDENT'S STIPULATED MOTION FOR EXTENSION
OF RESPONDENT'S TRIAL TESTIMONY PERIOD
THROUGH FEBRUARY 20, 2007**

Respondent Sportsman's Warehouse, Inc. ("Respondent"), by and through its undersigned counsel, and by stipulation of Petitioner Bass Pro Trademarks, L.L.C. ("Petitioner"), hereby respectfully requests an extension of Respondent's testimony period through February 20, 2007, in the above-referenced matter pursuant to 37 C.F.R. § 2.121(a)(1). Respondent states the following grounds in support of its motion:

1. In its Order of July 7, 2006, the Board reset Petitioner's testimony period to close on December 6, 2006. The Board reset Respondent's trial testimony period to close on February 4, 2007.
2. Respondent intends to call several witnesses during the course of its testimony period.

3. Prior to the close of Petitioner's testimony period, Petitioner requested, and Respondent stipulated, that Petitioner be allowed to extend Petitioner's testimony period as a result of unsuccessful good faith efforts between the parties' counsel to schedule depositions before the close of Petitioner's testimony period. On January 8, 2007, Petitioner filed with this Board Petitioner's Stipulated Motion for Extension of Petitioner's Testimony Period.

4. Subsequently, counsel for Respondent and counsel for Petitioner attempted in good faith to schedule testimony depositions of Respondent's witnesses on or before the close of Respondent's testimony period on February 4, 2007. Due to the unexpected unavailability of Petitioner's counsel, and the remaining testimony depositions of Petitioner's witnesses, the parties have been unable to schedule Respondent's testimony depositions prior to February 4, 2007.

5. The first date on which Petitioner is available to participate in Respondent's rescheduled testimony depositions is February 20, 2007. Respondent has agreed to this date, and Petitioner has stipulation to this extension.

6. The extension requested herein will not impact the remainder of the trial schedule for this matter. Petitioner's rebuttal testimony period, currently scheduled to close on March 21, 2007, will proceed without change. Therefore, the extension requested herein will not require any further delay of these proceedings and will not prejudice or inconvenience either party or the Board.

7. Respondent has consulted with counsel for Petitioner concerning the present motion, and Petitioner has stipulated hereto.

8. 37 C.F.R. § 2.121(a)(1) provides that the testimony periods in an inter partes proceeding may be rescheduled by stipulation of the parties approved by the Board.

WHEREFORE Respondent Sportsman's Warehouse, Inc., with the stipulation of Petitioner Bass Pro Trademarks, LLC, respectfully requests an extension of Respondent's trial testimony period up to and including February 20, 2007.

Respectfully submitted this 22 day of January, 2007.

LINDQUIST & VENNUM P.L.L.P.

By: 

David A. Allgeyer

Christopher R. Smith

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**ATTORNEYS FOR RESPONDENT
SPORTSMAN'S WAREHOUSE, INC.**

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of RESPONDENT'S STIPULATED MOTION FOR EXTENSION OF RESPONDENT'S TESTIMONY PERIOD TO FEBRUARY 23, 2007 was served by first class mail, postage paid, to counsel for Petitioner, Dennis J.M. Donahue III, Husch & Eppenberger, LLC, 190 Carondelet Plaza, Suite 600, St. Louis, MO 63105, this 22 day of January, 2007.


Christopher R. Smith